

Senate Bill 513  
December 12, 2007

My name is Dr. Pat Crowley and I live and work in Kalamazoo. I am a former MDEQ environmental quality analyst with over 30 years of soil and water education and experience, specializing in agriculture and natural resources. In the fall of 2001, a retiring MDA section chief, a man who is still an active and passionate environmentalist, challenged me to become more involved with composting in Michigan. For the last six years I have worked hard to provide the best technical guidance possible to composters in Michigan, with the assistance of national composting experts. Today I am challenging you to become more involved with composting too.

I am distributing copies of my presentation and a summary of its main points for your consideration.

- 1) Composting is vitally important to creating a sustainable environment in Michigan.
- 2) We need more to commitment to it, not less.
- 3) Local conflicts are crippling Michigan's composting ability.
- 4) Composting takes money. Keeping composters from getting paid for their effort is counterproductive.
- 5) Creating a complex framework limiting volumes does not help either.
- 6) Selective enforcement is not only unconstitutional; it frightens new composters from entering the market. If new laws are made, the legislature needs to provide the resources to ensure uniform compliance and create confidence.
- 7) Setbacks are fine, but *the simplistic five-foot groundwater setback is a mistake!* Because of its current interpretation, that setback disqualifies our best sites and actually encourages aquifer contamination in others.
- 8) In order to become sustainable, we need to facilitate more ag-industry-municipality partnerships. Let farmers sell compost. Why not? The public needs the wastes processed, the product, and the taxes. Farmers need the income. Simple. Make one set of guidelines for everyone.
- 9) Don't pass this bill without providing a straightforward conflict resolution process. This is your greatest priority!
- 10) Strongly encourage MSU, Uof M, the MDA, the MDEQ, and the NRCS to support composting by coordinating expectations and services.

Thank you for letting me elaborate:

### First of all, **Composting is Important!**

Between 20 to 40 percent of all waste generated in Michigan is compostable!  
That's a LOT of material!

*One would think that given such a significant volume that Michigan would be encouraging the production of compost simply to enjoy significant tax revenues from compost sales!* One would think that it would make sense for Michigan to designate whole sections of MDEQ and MDA to oversee programs to support composting and that

MSU and MSU Extension would have research teams working on how to help Michigan composters. But this is not happening. There is no composting council; there is no coalition. In fact there is only ONE person in State government whose job it is to work on composting! Instead of developing a sustainable composting program, the State has chosen to spend its limited resources on complaint response. In essence, we are treating the development of a composting program as an unworthy nuisance. This bill does nothing to change that. It just makes things more unnecessarily restrictive and complicated.

Composting itself provides significant environmental benefits.

We need more creative partnerships between farms, industry, and towns, not fewer!

I believe that many of you are truly concerned about the environment and so I urge you to PLEASE take your time to read this bill carefully and to learn more about this issue! The fact that this bill passed the Senate unanimously was alarming. I am pleading with you today to refrain from acting until understand what you can do to help the State as a whole move in a sustainable direction. It will take time but it will be worth it.

**Composting is Unpopular** in Michigan. It is nearly impossible to set up new facilities. Composting has no popular champion, even though it does reduce greenhouse gases! People buy cheap land in the country, build big houses and expect to have a Starbucks, a Barnes and Noble, and a Circuit City in their backyard.

They don't want a composting site near them! Most don't really have a clue what one is. *But composting HAS to be done where people live.*

Local unwillingness to support composting is what brings us here today.

A sea of organized complaints about composting have overwhelmed, even crippled, our state and local governments, and wasted frightful amounts of time and taxpayer resources. **Designing an effective conflict resolution process is the most important thing you can do to help composting at this time.**

**Composters need universal and even-handed enforcement** of laws already on the books. *Conflicts between the MDEQ divisions and MDA regarding composting are serious barriers to operational success and need to be resolved. Who can do that? It takes people like you.* It is also in everyone's interest to make sure that composting sites actually make and distribute compost. It is almost impossible for a well-managed site to compete with a site that does not process materials. *"Speculative accumulation" needs to be clearly and practically defined and enforced.*

**Should Quality be Regulated?** Compost is a valuable commodity and yet the market has not been developed. Among its many other uses, compost is an effective stormwater filter. Michigan water resources could be greatly improved by using more compost during the general construction process and in the creation of highway slopes, drains, and stormwater detention. Some people believe that if the quality of compost is legislated, that more market demand will be created. Others think that offering different grades of product is fine. Better quality requires the input of more energy. Is it worth it?

**Composting takes MONEY** for energy and labor. This bill restricts fees to some composters. But restricting fees to any composter who is really making compost is simply counterproductive. Furthermore, large-scale composting is a great way for farms to diversify and continue operating in rapidly urbanizing rural areas. USDA and most other states are actively promoting productive and innovative partnerships. We need Michigan farmers to contribute to this endeavor and farmers should be allowed to sell their compost just like they sell any other commodity.

**The Groundwater Setback.** The simple five-foot setback proposed in SB513 misses the mark completely. This is because state regulators have been designating the rainfall caught in perched water tables over clayey soils to be “groundwater” (seasonal high water tables). This means that sites that have lot of clay and provide generally excellent aquifer protection will be *disallowed*, and sites with a lot of sand and only marginal groundwater protection will be *allowed*! This makes no sense. The five-foot distance is being proposed in this bill in the name of consistency with other state regulations, regardless of logic. In all cases, groundwater and surface water resources should be protected by a well-considered system of natural or artificial barriers, drainage, and managed detention.

In Summary:

Save a tree, reread the intro.

My contact info:

Pat Crowley, PhD, CCA

AMERICAN FARM ENVIRONMENT, LLC

9242 East CD Ave

Richland, MI 49083

269-629-9889